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At a regular meeting of the Board of County Commissioners for Grand County, Colorado, held at the Court House in Hot Sulphur Springs on Tuesday, the 27th day of A.D., 2006, there were present:

Nancy Stuart, Commissioner Chairman
Duane E. Dailey, Commissioner
James L. Newberry, Commissioner
Anthony J. DiCola, County Attorney
Lurline Underbrink Curran, County Manager
Sara L. Rosene, Clerk of the Board

when the following proceedings, among others were had and done, to wit:

RESOLUTION NO. 2006 - 6 - 16

A RESOLUTION DECLARING A FIRE BAN AND A BAN ON THE SALE OF FIREWORKS

WHEREAS, C.R.S. 30-15-401(1)(n.5) authorizes the Board of County Commissioners of the County of Grand to ban open fires within those portions of the unincorporated areas of the County where the danger of forest or grass fires is found to be high based on competent evidence and that the ban on open fires may include a prohibition on the sale of fireworks only within those portions of the unincorporated areas of the county where the danger of forest or grass fires has been found to be high based on competent evidence. "Competent evidence may include, but is not limited to, the use of the national fire danger rating system and any other similar indices of information.

WHEREAS, “open burning” can be a prime cause of forest and brush fires in Grand County; and

WHEREAS, it is presently the consensus of the community's combined federal, state and local fire authorities, that an "open burning" fire ban including a ban on the sale of fireworks would be in the best interests of the safety and well being of the residents of Grand County; and

WHEREAS, the Grand County Sheriff has requested an immediate ban on open burning in Grand County, and the Board has found that the danger of forest or grass fires based on competent evidence is indeed high; and

WHEREAS, Sheriff Rodney Johnson, Grand County Fire Warden, pursuant to C.R.S. §30-10-512, has declared an emergency fire ban, and requested support of that declaration of the Board of County Commissioners of the County of Grand; and

WHEREAS, the Board of County Commissioners of the County of Grand finds, based upon competent evidence including the recent weather conditions and the potential for destructive forest or grass fires in Grand County and the western region, that there exists the imminent threat of widespread or severe damage, injury, or loss of life or property resulting from fire which requires emergency action to avert danger or damage, and, a fire danger emergency exists within Grand County; and

WHEREAS, the Board of County Commissioners of the County of Grand further finds, based upon competent evidence including the recent weather conditions that the danger of forest or grass fires within Grand County is high and poses a dangerous threat of widespread severe damage, harm or injury to life or property necessitating immediate action to avoid such damage

or injury and protect the health, safety and welfare of the citizens of Grand County.

NOW THEREFORE, IT IS ORDERED THAT:

1. Open fires, the use of fireworks and the sale of fireworks within Grand County are hereby immediately banned.

2. For the purposes of this Order, "open burning" shall be defined as any outdoor fire of any type, including but not limited to campfires, warming fires, bonfires, fires in pits, slash burning, charcoal grill fires on public property, igniting fused explosives, igniting fireworks of all kinds and brands, or the prescribed burning of fence rows, fields, wildlands, trash and debris.

This Order excludes fires contained within liquid-fueled or gas-fueled stoves, fireplaces within buildings, self contained and enclosed charcoal grills (off the ground) at private residences, and permanent fire pits or grates located on the developed picnic grounds or campgrounds listed on Exhibit A attached hereto. This Order excludes pre-approved public and/or commercial fireworks displays and fires used to inflate hot air balloons.

3. The burning of irrigation ditches in unincorporated Grand County is also prohibited by this Order except for ditches located within and completely surrounded by irrigated farmlands where such burning is necessary for crop survival and specific written approval has been granted in advance by the Sheriff of Grand County.

4. Because sparks and hot ashes from any source contribute to the fire danger, smoking outside incorporated city limits is strongly discouraged except within enclosed motor vehicles, buildings, or developed picnic grounds or campgrounds.

5. This Order shall be enforced by the Grand County Sheriff's Office and any other Peace Officer with authority in Grand County. The penalty assessment procedure provided in C.R.S. 16-2-201 shall be followed when enforcing the provisions of this Order.

Violations of any provision of this Order shall be a Class 2 Petty Offense, and the penalty for a violation of any provision of this Order shall be a fine of fifty dollars (\$50.00).

Additionally, anyone starting, maintaining, or permitting open burning in violation of this Order shall be responsible for any and all costs associated with extinguishing the fire and for any damages caused as a result of the fire.

Upon motion duly made and seconded, the foregoing Resolution and Order was adopted on 27 JUNE 2006 at 5:00 o'clock p.m., and is effective immediately upon adoption. This resolution is also signed and enacted by Sheriff Rodney Johnson.


Rodney Johnson, Grand County Sheriff

Upon motion duly made and seconded the foregoing resolution was adopted by the following vote:

James L. HillAye
Nancy StuartAye
Dennis E. DailayAye

Commissioners

STATE OF COLORADO }
 } SS.
County of Grand }

I,, County Clerk and ex-officio Clerk of the Board of County Commissioners in and for the County and State aforesaid do hereby certify that the annexed and foregoing Order is truly copied from the Records of the Proceedings of the Board of County Commissioners for said Grand County, now in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said County, at
Hot Sulphur Springs, this day of A.D. 20.....
County Clerk and ex-officio Clerk of the Board of Commissioners.

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Exhibit A to Resolution No. 2006 – 6 – 16

List of approved areas with fire grates that are excluded from the fire ban.

In an effort to eliminate confusion, the following list has been compiled to show the areas that are excluded from the fire ban. However, to have a fire in one of these areas the fire must be in one of the fire pits or grates provided by the entity in charge of the grounds.

Campgrounds

Arapahoe Bay
(Big Rock, Moraine Loop, Roaring
Fork)

Blacktail

Byers Creek

Cutthroat Bay

Denver Creek

Dumont Lake

Gore Pass

Green Ridge

Horseshoe (Closed)

Midland (Group Campground)

Pumphouse

Radium

Robbers Roost

Sawmill Gulch

South Fork (Closed)

Stillwater

St. Louis Creek

Campgrounds

Sugarloaf (Closed)

Sunset Point

Willow Creek

Picnic Areas

Pine Beach

Quinette Point

Rainbow Bay

Shadow Mountain

Sunset Point

Willow Creek Canal

Commercial Campgrounds

Elk Creek

Winding River Ranch

Young Life

Others

Wolford Mountain Project

Williams Fork Reservoir